

REMARKS

Applicant is in receipt of the Office action mailed on September 29, 2003 (Paper No. 9) and thanks Examiner Patel for his detailed examination of the application. Claims 1, 21, 27-31, and 33-45 were rejected. Claims 1, 21, 33 and 44 have been amended. Claims 29 and 32 have been canceled. By this Amendment, claims 1, 21, 27-28, 30-31 and 33-45 remain pending. Favorable consideration is respectfully requested in light of the amendments and the following Remarks.

Claims Rejection Under 35 U.S.C. §102(b)

Claims 1, 21, 30-31, 34, 36-39, 40, 42-44 were rejected under 35 U.S.C. §102(b) as being anticipated by Patent JP 409287633, (U.S. Patent No. 6,062,572 referenced for text and Figures) to Hasegawa (hereinafter '633). Applicant respectfully traverses the rejection.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. See MPEP §2131. As admitted by the Examiner, Hasegawa does not disclose the filler to bonding agent mass ratio to be at least 2:1. See bottom of page 4 and page 5, Item 6 of the Office Action. Claim 1 includes the limitation that the mass ratio of filler to bonding agent is at least 2:1. Claims 30-31, 34 and 36-39 all depend from independent claim 1. Therefore, not all of the elements of claims 1, 30-31, 34, and 36-39 are disclosed in the '633 reference. Accordingly, the rejection is unsupported by the art and should be withdrawn.

Claim 21 includes the limitation that the mass ratio of filler to bonding agent is at least 2:1. Claims 40, 42 and 43 depend from independent claim 21. As stated above and as recognized by the Examiner, the '633 reference does not disclose, teach or suggest the claim limitation of a mass ratio of filler to bonding agent is at least 2:1. Accordingly, withdrawal of the rejection is respectfully requested.

Claim 44 has been amended to include the limitation that the particulate filler to bonding agent is at least 2:1. As stated above, the '633 reference does not disclose, teach or suggest the claim limitation of a mass ratio of filler to bonding agent is at least 2:1. Accordingly, withdrawal of the rejection is respectfully requested.

Independent claim 45 includes the limitations that the mass ratio of filler to bonding agent is at least 2:1, that each particle of filler is spherical and at least 80% of the particles

have an average grain size in the range between 5 and 100 μm . As previously stated by the Examiner, the '633 reference does not disclose, teach or suggest the claim limitations of a mass ratio of filler to bonding agent is at least 2:1, of particles that are spherical, or particles having a grain size in the range of between 5 to 100 μm . Accordingly, independent claim 45 is also patentable over the '633 reference.

Claims Rejection Under 35 U.S.C. §103

Claims 1, 21, 27-31, 33-34, 35-39 and 40-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patent JP 409287663A to Hasegawa in view of Patent DE 3611285 A1 to Zerfass (hereinafter '285). For at least the following reasons, Applicant respectfully traverses the rejection.

The '285 abstract discloses a screen-printable epoxy resin material containing an epoxy hardener component I, a solid crystalline hardener II and a reactive, low-viscosity epoxy thinner III. The inorganic filler of the epoxy hardener has a maximum particle size of 0.005 millimeters, or converted, a maximum particle size of 5 micrometers. Therefore, the inorganic filler of the epoxy hardener cannot have an average grain size in the claimed range of between 0.005 to 0.1 millimeters.

Claims 1, 21 and 44 as amended, and claim 45 recite at least 80% of the particles of filler have an average grain size in the range between 5 and 100 micrometers, or converted, an average grain size in the range between 0.005 to 0.1 millimeters. Thus, the maximum particle size of the '285 reference is the minimum range size of Applicant's claimed invention. Therefore, the '285 reference teaches away from Applicant's claimed invention.

For at least these reasons, independent claims 1, 21, 44 and 45 are patentably distinct over the prior art. The '285 reference, taken singularly or in combination with the '633 reference, fails to disclose all of the claim limitations of Applicant's claimed invention. Claims 27-28, 30-31, 33-39 depend from patentable claim 1 and claims 40-43 depend from patentable claim 44. For at least these reasons, claims 27-28, 30-31, 33-39 and claims 40-43 are patentably distinct over the prior art. Applicant respectfully requests withdrawal of the rejection in regards to claims 1, 21, 27-28, 30-31, 33-45. Claims 29 and 32 have been canceled, thus the rejection is moot concerning those claims.

The Office Action notes prior art made of record and not relied upon as being pertinent to Applicant's disclosure. Applicants have reviewed the prior art and found it to be no more relevant than the '633 reference or the '285 reference.

CONCLUSION

Pursuant to the Office Action and the comments above, it is believed the application is now in condition for allowance. If, however, there are any outstanding issues that can be resolved by telephone conference, the Examiner is earnestly encouraged to telephone the undersigned representative.

It is believed that no fees are due with respect to this paper. However, if any fees are found to be required in connection with the filing of this paper, permission is given to charge account number 18-0013 in the name of Rader, Fishman and Grauer PLLC.

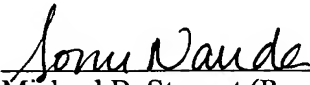
Respectfully submitted,

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